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**DEC 16 2008**

In re Application of :  
Cohen, et al. :  
Application No. 10/823,306 : **DECISION ON PETITION**  
Filed: April 13, 2004 :  
Attorney Docket No. 113062 CON-1 :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed October 2, 2008, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned May 23, 2007 for failure to reply in a timely manner to the non-final Office action mailed February 22, 2007. The non-final Office action set a three month shortened statutory period of time for reply. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Notice of Abandonment was mailed September 20, 2007.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the to the non-final Office action, (2) the required petition fee, and (3) a proper statement of unintentional delay.

The correspondence address indicated on the petition differs from that contained in the record. The instant decision is being dually mailed. However, all future correspondence concerning this application will be directed to the address contained in the record until such time as appropriate instruction is received to the contrary.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3205.

This application is being referred to Technology Center AU 2168 for further processing.

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Office of Petitions

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